



June 2, 2022

VIA ECF

Hon. John P. Cronan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

The Court grants the extension request. Defendants shall respond to the Complaint by June 10, 2022. The Clerk of the Court is respectfully directed to close the motion pending at Docket Number 29.

SO ORDERED.

Dated: June 6, 2022

New York, New York

JOHN P. CRONAN
United States District Judge

Re: *Richard Perez v. Bailey Seafood Market & Restaurant Corp., et al.*
Docket No.: 21-cv-08810 (JPC)

Dear Judge Cronan:

This firm represents Defendants Bailey Seafood Market & Restaurant Corp., Irene Jimenez and Christian Jimenez in this matter brought by Plaintiff Richard Perez, who alleges claims under the Fair Labor Standards Act and New York Labor Law. The Court entered an ordered setting Defendants' deadline to submit an Answer or otherwise move with respect to Plaintiff's Complaint for June 3, 2022. Defendants have been engaged in investigating Plaintiff's Complaint, gathering and evaluating Defendants' documents and interviewing the Defendants in order to prepare an appropriate response to the Complaint. During this process, counsel learned that the owner and officers of Defendant Bailey Seafood Market & Restaurant Corp. differed from what was originally understood by the firm and, as a result, determined that certain steps must be taken to resolve a newly discovered issue regarding this firm's representation of that Defendant, which must be resolved prior to submitting a pleading on behalf of the Defendants. Counsel expects to successfully resolve this issue in the next several business days and can then expeditiously file Defendants' Answer or motion with respect to the Complaint. Accordingly, Defendants request, with Plaintiff's consent, a one-week extension of time from June 3, 2022 until June 10, 2022 to serve their Answer or otherwise move with respect to the Complaint. Defendants made two prior requests for an extension of this deadline, which were granted. This extension, if granted, will not impact any other deadlines in this lawsuit and will not delay the parties' impending mediation, scheduled for June 22, 2022.

We thank the Court for its consideration of this request.

Respectfully submitted,

/S/ David D. Barnhorn, Esq.
DAVID D. BARNHORN, ESQ.

C: All Counsel of Record *via* ECF